

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

CSX TRANSPORTATION, INC.,  
individually and on behalf of NORFOLK  
& PORTSMOUTH BELT LINE  
RAILROAD COMPANY,

*Plaintiff,*

v.

NORFOLK SOUTHERN RAILWAY  
COMPANY, *et al.*,

*Defendants.*

Case No. 2:18-cv-530

**NOTICE OF MOTION TO FILE DOCUMENTS UNDER SEAL**

This serves as notice, pursuant to Local Rule 5(C), that Defendant Norfolk Southern Railway Company (“NSR”) have moved the Court to seal from public disclosure the following documents: Defendant’s unredacted Reply Memorandum in Support of Motion for Summary Judgment, and the following Exhibits to Defendant’s Reply Memorandum in Support of Motion for Summary Judgment: Exhibits 1, 2, 3, and 4.

These documents have been designated “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” or “CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Plaintiff CSX Transportation, Inc. (“CSX”), Defendant Norfolk Southern Railway Company (“NS”) or Defendant Norfolk & Portsmouth Beltline Railroad Company (“NPBL”) and contain highly confidential and sensitive information relating to CSX’s, NS’s or NPBL’s transportation and shipping practices, business strategy, internal communications, and other highly confidential, proprietary, and sensitive business information, release of which would harm CSX, NS or NPBL.

Any party or non-party may submit memoranda in support of or in opposition to this Motion within seven (7) days, designating all or part of such memoranda as confidential. Any information designated as confidential in a supporting or opposing memoranda will be treated as sealed pending a determination by the Court on the Motion to Seal. Any person objecting to this Motion must file an objection with the Clerk within seven (7) days after the filing of this Motion. If no objection is filed in a timely manner, the Court may treat the Motion as uncontested.

Dated: May 13, 2021

Respectfully submitted,

/s/ Michael E. Lacy

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